

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

TRUE RETURN SYSTEMS LLC,

Plaintiff,

v.

MAKERDAO,

Defendant.

Case No. 1-22-cv-8478-VSB

**PLAINTIFF’S NOTICE OF MOTION  
FOR A DEFAULT JUDGMENT**

PLEASE TAKE NOTICE that upon the accompanying Memorandum of Law and Declarations in support, and the entire record herein, Plaintiff True Return Systems, LLC (“True Return” or “Plaintiff”) hereby moves the Court, and pursuant to Fed. R. Civ. P. 55(b)(2), Local Rule 55.2(b), for entry of an order declaring a default judgment against Defendant MakerDAO (“Defendant”).

WHEREFORE, True Return respectfully asks that the Court:

1. Enter a default judgment against Defendant;
2. Issue a permanent injunction:
  - a. Permanently enjoining Defendant MakerDAO from any conduct that infringes, directly or indirectly, the ‘797 Patent, including making, selling, distributing, marketing, testing, importing, operating, offering to sell, or otherwise using: (a) the system, software or methods deployed as “Oracles V2”, (b) systems, software, or methods which are functionally equivalent to “Oracles V2”, or (c) comparable systems, software, or methods which employ parallel storage processes

where centrally or decentrally stored values with or without descriptor differentials accessing at least one electronically published data-stream are linked to and employed by a decentralized or distributed ledger for the purpose of imputing a measured differential or a descriptive identifier to such ledger's transaction record, (separately and collectively, the “‘797 Patent Infringement”) within the United States;

b. Ordering Defendant MakerDAO to immediately cease use of and disable all occurrences of the method, system, and software called “Oracles V2” – or any other method, system, and software infringing the ‘797 Patent or otherwise resulting in ‘797 Patent Infringement – in their possession, custody, or control;

c. Ordering Defendant MakerDAO to immediately take down and/or destroy any remaining documentation and marketing for the system called “Oracles V2”.

d. Ordering Defendant MakerDAO to immediately deactivate any servers operating, hosting, or distributing the method, system, and software called “Oracles V2”; and

e. Ordering Defendant MakerDAO to refrain from any conduct that frustrates the relief ordered herein, including, but not limited to, renaming assigning, replicating, acquiring, or replacing the methods, system, and software called “Oracles V2” with any substantially similar method, system, or software.

3. Award Plaintiff compensatory damages of \$12,398,368 plus prejudgment interest at a rate based on the federal applicable rate of the 1-year U.S. treasury rate, compounded monthly, starting with July 2020 to December 31, 2022, currently amounting to \$276,418;

4. Award Plaintiff enhanced damages of \$5,133,745;
5. Award Plaintiff post-judgment interest on the judgment awarded, starting from the date of final judgment, and set at a rate equal to the weekly average 1-year constant maturity Treasury yield, as published by the Board of Governors of the Federal Reserve System, for the calendar week preceding the date of the judgment; and
6. Grant Plaintiff such other and further relief as this Court deems just and proper.

Dated: February 14, 2023

Respectfully submitted,

BOAG LAW, PLLC

By: \_\_\_\_\_

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*Attorneys for Plaintiff True Return Systems LLC*